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Receipt #4

Docket No. 00/200

IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE

In re the Application of:  
Srivatsa Venkatasubbarao  
Lothar U. Kempen

Serial No: 09/838,700

Filed: April 19, 2001

For: APPARATUS INCLUDING A BIOCHIP  
FOR IMAGING OF BIOLOGICAL SAMPLES  
AND METHOD

Art Unit:

I hereby certify that this correspondence is  
being deposited with the United States Postal  
Service as first class mail in an envelope  
addressed to: Commissioner of Patents and  
Trademarks, Washington, D.C. 20231, on  
August 22, 2001.

*Jul Mar-Shakti Wheeler*  
Jul Mar-Shakti Wheeler

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND  
RESPONSE TO FILING RECEIPT Dated June 12, 2001  
FILED UNDER 37 CFR 1.53(b)**

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SEP 21 2001  
TECHNOLOGY CENTER 2001

This is a response to the Notice to File Missing Parts of Nonprovisional Application dated June 12, 2001, and to the Filing Receipt dated June 12, 2001.

Any extension of time required for this filing is hereby requested and the Commissioner is authorized to charge any amount found to be due either for any extensions of time or for any other reason to deposit account no. 501585.

The requirements of the Notice are traversed and at least one not understood. It is requested that the Notice be withdrawn.

The applicant has calculated the filing fee as \$715.00. This is on the basis of a basic fee of \$355 and \$360 from 9 independent claims over 3. The application transmittal letter (copy

08.22.01 - Resp to Not to File Missing Parts.doc

enclosed) expressly claimed small entity status (see indicated portion) as well as showing a calculation in a column entitled "Small Entity", and authorized that the filing fee be charged to the deposit account no. 501585. Also the filing fee stated in the transmittal letter, \$715.00 is correct.

Also, the Filing Receipt (confirmation no. 8776) indicated that the Domestic Priority data is inconsistent with PTO records, but applicant can find no inconsistency in the claim of priority, which is a CIP of application serial number 09/614,503 filed on July 7, 2000. The common inventor is Lothar U. Kempen.

Applicant therefore requests confirmation that these issues are considered closed and that the Notice is withdrawn.

Respectfully submitted,

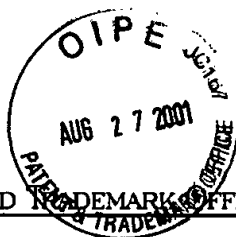


Lawrence S. Cohen, Esq.  
Attorney for Applicant  
Reg. No. 25,225  
Date: August 22, 2001

Lawrence S. Cohen, Esq.  
10960 Wilshire Boulevard, Suite 1220  
Los Angeles, California 90024  
Telephone: (310) 231-6898  
Facsimile: (310) 231-6899



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/838,700	04/19/2001	Srivatsa Venkatasubbarao	00/200

CONFIRMATION NO. 8776

FORMALITIES LETTER



\*OC000000006170886\*

Lawrence S. Cohen, Attorney  
Intelligent Optical Systems, Inc.  
2520 W. 237th Street  
Torrance, CA 90505-5217

Date Mailed: 06/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$640.
  - \$640 for 8 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1480.**

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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SEP 21 2001  
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UTILITY PATENT  
DOCKET NO: 00/200

Commissioner of Patents  
And Trademarks  
Washington, DC 20231

Express Mail No. EL721009185US  
Date of Deposit: 18 April 2001

Enclosed for filing is a complete utility patent application entitled: APPAREATUS INCLUDING A BIOCHIP FOR IMAGING OF BIOLOGICAL SAMPLES AND METHOD

X Including a specification with 1-17 pages

X Including claims 1-14

X Enclosed are 6 sheets of drawings including Figs. 1 thru 11

X Enclosed is a declaration for patent application

X Enclosed is an assignment recording form cover sheet

X Enclosed is an assignment document

X Enclosed is our postcard

X Please charge the filing fee and the assignment

Recordation fee to deposit account number 501585

X Enclosed is provisional application S.N. 09/614,503

The fee has been calculated as shown below:

Item	No. Filed	Allocated	No. Extra	Small Entity Rate	Fee	Non Small Entity Rate	Fee
1. BASIC FILING FEE - Design				<input type="checkbox"/>		<input type="checkbox"/>	
2. BASIC FILING FEE - Utility				X	\$355.00	<input type="checkbox"/>	
2. Total Claims:	20	-20 =	0	x \$ 9.00 =	00.00	x \$ 18.00 =	
3. Independent:	11	- 3 =	8	x \$40.00 =	320.00	x \$ 80.00 =	
4. Multiple Dependent Claims		- 0 =		x \$135.00 =		x \$270.00 =	
5. Assignment Recordation	1			x \$40.00 =	40.00	x \$ 40.00 =	
				TOTAL =	\$715.00	TOTAL =	

The applicant(s) and/or assignee(s) is/are entitled to small entity status.

Throughout prosecution of this application the Commissioner of Patents and Trademarks is authorized and requested to charge any additional fees that may be required, or credit any overpayment to deposit account no. 501585.

L. S. Cohen  
Lawrence S. Cohen  
Reg. No. 25,225  
Attorney for Applicant

Please send all correspondence to:  
Lawrence S. Cohen, Attorney  
Intelligent Optical Systems, Inc.  
2520 W. 237<sup>th</sup> Street  
Torrance, CA 90505-5217

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 2023. Express Mail Label No. EL721009185US; Date of Deposit: 18 April, 2001

L. S. Cohen  
Lawrence S. Cohen

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SEP 21 2001  
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